

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TONY C. SALKELD,	)	
	)	
Petitioner,	)	Civil Action No. 06-42 Erie
	)	
v.	)	
	)	
FRANKLIN TENNIS, et al.,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

This petition for writ of habeas corpus was received by the Clerk of Court on February 21, 2006 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on January 31, 2007, recommended that the petition for writ of habeas corpus be denied and that a certificate of appealability be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail at SCI Rockview, where he is incarcerated, and on Respondent. Objections were filed by Petitioner on February 15, 2007. After de novo review of the petition and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 20<sup>th</sup> day of March, 2007;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is DENIED and that a certificate of appealability is DENIED.

The Report and Recommendation of Magistrate Judge Baxter, dated January 31, 2007, is adopted as the opinion of the Court.

/s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record.  
U.S. Magistrate Judge Susan Paradise Baxter